

Appl. No.: 10/811,203  
Amdt. dated October 18, 2004  
Reply to Office Action of September 20, 2004

**REMARKS/ARGUMENTS**

In the Office Action dated September 20, 2004, Claims 1-11 are pending, of which only Claim 1 is independent. Claims 1-5 and 8-10 have been allowed. In addition, the Examiner has indicated that dependent Claims 6, 7, and 11 would be allowed if amended to overcome the objections set forth in the Office Action. Accordingly, Applicant has amended Claims 6, 7, and 11 as set forth above.

In particular, Claim 6 has been amended to clarify that the step of injecting the first combustion fuel comprises injecting the first combustion fuel through a manifold comprising an annular space that extends circumferentially around the at least one stream of oxidizing fluid. Claim 7 has been amended to correct informalities noted by the Examiner. Claim 11 has been amended to recite injecting a recycle gas comprising steam and carbon dioxide into the combustion chamber to limit the combustion temperature to about 4000° F.

Applicant submits that the amendments set forth above correct each of the objections made by the Examiner. Further, Applicant asserts that these amendments are wholly unrelated to the substantive patentability of the claims. Accordingly, Applicant submits that Claims 1-11 are now allowable.

**Consideration Of Previously Submitted Information Disclosure Statement**

It is noted that an initialed copy of the PTO Form 1449 that was submitted with Applicant's Information Disclosure Statement filed March 26, 2004 has not been returned to Applicant's representative with the Office Action. Accordingly, it is requested that an initialed copy of the Form 1449 be forwarded to the undersigned with the next communication from the PTO. In order to facilitate review of the references by the Examiner, a copy of the Information Disclosure Statement and the Form 1449 are attached hereto. Applicant will be pleased to provide copies of the references upon the Examiner's request.

Appl. No.: 10/811,203  
Amdt. dated October 18, 2004  
Reply to Office Action of September 20, 2004

\* \* \* \*

## CONCLUSIONS

In view of the remarks presented above, Applicant submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Nicholas F. Gallo  
Registration No. 50,135

**Customer No. 00826**

**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 18, 2004



Lorna Morehead

CLT01/4670686v1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Kenneth M. Sprouse, et al. Confirmation No.:  
Appl No.: To be assigned Group Art Unit: 3746  
Filed: Concurrently herewith Examiner: Louis J. Casaregola  
For: FLUID INJECTION AND INJECTION METHOD

*6156*  
*OCT 21 2004*  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97

Attached is a list of documents on form PTO-1449.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

No items are attached as they were supplied in, or cited by the Office during prosecution of, parent Application No. 10/242,341 filed September 12, 2002. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,

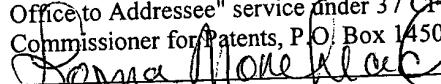
Nicholas F. Gallo  
Registration No. 50,135

Customer No. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

In re: Kenneth M. Sprouse, et al.  
Appl No.: To be assigned  
Filed: Concurrently herewith  
Page 2

"Express Mail" mailing label number EV 440825015 US  
Date of Deposit March 26, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Lorna Morehead

CLT01/4638927v1

Substitute for form 1449A/PTO  
(Revised 10/2001)



## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 4

Attorney Docket Number 38190/275645

### Complete if Known

Application Number	To be assigned
Filing Date	Concurrently herewith
First Named Inventor	Kenneth M. Spouse
Group Art Unit	3746
Examiner Name	Louis J. Casaregola

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1	US-2,636,778	04-28-1953	Michelsen	
	2	US-2,785,926	03-19-1957	Lataste	
	3	US-2,857,204	10-21-1958	Gross	
	4	US-2,930,532	03-29-1960	Johnson	
	5	US-3,056,559	10-02-1962	Orr	
	6	US-3,093,315	06-11-1963	Tachiki, et al.	
	7	US-3,121,639	02-18-1964	Bauer, et al.	
	8	US-3,430,863	03-04-1969	Canavan, et al.	
	9	US-3,603,092	09-07-1971	Paine, et al.	
	10	US-3,610,537	10-05-1971	Nakagawa, et al.	
	11	US-3,729,285 A	04-24-1973	Schwedersky	
	12	US-3,779,212	12-18-1973	Wagner	
	13	US-3,837,788	09-24-1974	Craig, et al.	
	14	US-3,850,569	11-26-1974	Alquist	
	15	US-3,923,011	12-02-1975	Pfefferle	
	16	US-3,928,961	12-30-1975	Pfefferle	
	17	US-4,021,186	05-03-1977	Tenner	
	18	US-4,021,188	05-03-1977	Yamagishi, et al.	
	19	US-4,054,407	10-18-1977	Carrubba, et al.	
	20	US-4,102,125	07-25-1978	Schelp	
	21	US-4,173,118	11-06-1979	Kawaguchi	
	22	US-4,216,908	08-12-1980	Sakurai, et al.	
	23	US-4,271,664	06-09-1981	Earnest	
	24	US-4,288,408	09-08-1981	Guth, et al.	
	25	US-4,297,093	10-27-1981	Morimoto, et al.	
	26	US-4,316,580	02-23-1982	Bodai	
	27	US-4,356,698	11-02-1982	Chamberlain	
	28	US-4,407,450	10-04-1983	Chegolya, et al.	

Examiner Signature

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO (Revised 10/2001) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	To be assigned		
		Filing Date	Concurrently herewith		
		First Named Inventor	Kenneth M. Sprouse		
		Group Art Unit	3746		
		Examiner Name	Louis J. Casaregola		
Sheet	2	of	4	Attorney Docket Number	38190/275645
U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	29	US-4,504,211	03-12-1985	Beardmore	
	30	US-4,566,268	01-28-1986	Hoffeins, et al.	
	31	US-4,575,332	03-11-1986	Oppenberg, et al.	
	32	US-4,773,596	09-27-1988	Wright, et al.	
	33	US-4,783,008	11-08-1988	Ikeuchi, et al.	
	34	US-4,784,600	11-15-1988	Moreno	
	35	US-4,801,092	01-31-1989	Webber, et al.	
	36	US-4,893,468	01-16-1990	Hines	
	37	US-4,912,931	04-03-1990	Joshi, et al.	
	38	US-4,936,088	06-26-1990	Bell	
	39	US-4,955,191	09-11-1990	Okamoto, et al.	
	40	US-4,958,488	09-25-1990	Wilkes, et al.	
	41	US-4,989,549	02-05-1991	Korenberg	
	42	US-5,025,631	06-25-1991	Garbo	
	43	US-5,029,557	07-09-1991	Korenberg	
	44	US-5,042,964 A	08-27-1991	Gitman	
	45	US-5,103,630	04-14-1992	Correa	
	46	US-5,158,445	10-27-1992	Khinkis	
	47	US-5,161,379	11-10-1992	Jones, et al.	
	48	US-5,222,357	06-29-1993	Eddy, et al.	
	49	US-5,224,333	07-06-1993	Bretz, et al.	
	50	US-5,247,791	09-28-1993	Pak, et al.	
	51	US-5,259,184	11-9-1993	Borkowicz, et al.	
	52	US-5,285,628	02-15-1994	Korenberg	
	53	US-5,288,021	02-22-1994	Sood, et al.	
	54	US-5,361,578 A	11-08-1994	Dolan	
	55	US-Re35,061	10-17-1995	Correa	
Examiner Signature				Date Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO (Revised 10/2001)				<b>Complete if Known</b>	
				Application Number	To be assigned
				Filing Date	Concurrently herewith
				First Named Inventor	Kenneth M. Sprouse
				Group Art Unit	3746
				Examiner Name	Louis J. Casaregola
Sheet	3	of	4	Attorney Docket Number	38190/275645

<b>U. S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	56	US-5,462,430	10-31-1995	Khinkis	
	57	US-5,467,926	11-21-1995	Idleman, et al.	
	58	US-5,675,971	10-17-1997	Angel, et al.	
	59	US-5,680,765	10-28-1997	Choi, et al.	
	60	US-5,743,081	04-28-1998	Reynolds	
	61	US-5,778,676	07-14-1998	Joshi, et al.	
	62	US-5,806,298	09-15-1998	Klosek, et al.	
	63	US-5,833,141	11-10-1998	Bechtel, II, et al.	
	64	US-5,894,720	04-20-1999	Willis, et al.	
	65	US-5,906,094	05-25-1999	Yang, et al.	
	66	US-5,906,806	05-25-1999	Clark	
	67	US-5,934,064	08-10-1999	Newby, et al.	
	68	US-5,950,417	09-14-1999	Robertson, Jr., et al.	
	69	US-5,956,937	09-28-1999	Beichel	
	70	US-5,966,937	10-19-1999	Graves	
	71	US-5,970,702	10-26-1999	Beichel	
	72	US-6,065,281	05-23-2000	Shekleton, et al.	
	73	US-6,076,745	06-20-2000	Primdahl	
	74	US-6,082,112	07-04-2000	Shekleton	
	75	US-6,148,602	11-21-2000	Demetri	
	76	US-6,162,266	12-19-2000	Wallace, et al.	
	77	US-6,170,264B1	01-09-2001	Viteri, et al.	
	78	US-6,206,684B1	03-27-2001	Mueggenburg	
Examiner Signature			Date Considered		

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO (Revised 10/2001)				<b>Complete if Known</b>		
				Application Number	To be assigned	
				Filing Date	Concurrently herewith	
				First Named Inventor	Kenneth M. Sprouse	
				Group Art Unit	3746	
				Examiner Name	Louis J. Casaregola	
Sheet	4	of	4	Attorney Docket Number	38190/275645	

#### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	79	EP 1 013 990 A2	06-28-2000	Mitsubishi		
	80	WO 00/43712	07-27-2000	Clean Energy Systems, Inc.		

#### OTHER DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) , volume-issue number(s), publisher, city and/or country where published.	T
	81	O. BOLLAND and S. SAETHER, New Concepts For Natural Gas Fired Power Plants Which Simplify The Recovery Of Carbon Dioxide; Energy Convers. Mgmt, 1992, pages 467-475, Vol. 33, No. 5-8, Pergamon Press Ltd, Great Britain.	
	82	OLAV BOLLAND and PHILIPPE MATHIEU, Comparison Of Two CO <sub>2</sub> Removal Options In Combined Cycle Power Plants, Energy Convers. Mgmt, 1998, pages 1653-1663, Vol. 39, No. 16-18, Elsevier Science Ltd, Great Britain.	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.